

# EXHIBIT 8

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

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MICROSOFT CORPORATION,	)	
	)	
Plaintiff,	)	10-01823-JLR
	)	
v.	)	SEATTLE, WASHINGTON
	)	
MOTOROLA INC., et al,	)	October 29, 2012
	)	
Defendant.	)	Pretrial
	)	Conference

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VERBATIM REPORT OF PROCEEDINGS  
BEFORE THE HONORABLE JAMES L. ROBERT  
UNITED STATES DISTRICT JUDGE

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APPEARANCES:

For the Plaintiff: Arthur Harrigan, Christopher  
Wion, David Pritikin and Richard  
Cederoth

For the Defendants: Jesse Jenner, Ralph  
Palumbo, Steven Pepe, Philip  
McCune, Stuart W. Yothers, and  
Kevin J. Post

1 privilege. I guess it's okay for the kettle to call the pot  
2 black.

3 The first of those and the one that's directly presented  
4 to the court has to do with Mr. Gutierrez. And this is the  
5 depositions of -- apparently taken by Mr. Schoenhard of Ropes  
6 and Gray, and defended by Mr. Pritikin. And it is the  
7 deposition of Horatio Gutierrez -- apparently not to be  
8 confused with the Mariner's centerfielder -- taken April 4,  
9 2012.

10 Mr. Gutierrez provided, properly provided information  
11 regarding Microsoft's response to Motorola's offer letters.  
12 And I read the deposition transcript, and I frankly found  
13 Motorola's motion not to be well taken. So, as he provided  
14 that information, I think the relief that Motorola now seeks  
15 is simply too broad.

16 The court will, during the trial, as I indicated, allow  
17 renewed objections. However, Motorola or Microsoft is going  
18 to need to demonstrate that the fact being offered into  
19 evidence was inquired into, and the discovery was blocked.  
20 If that showing is made, then it is likely that the court  
21 would exclude the evidence.

22 No. 2 for Motorola. Testimony regarding an analysis of  
23 the facts under the *Georgia-Pacific* factors. There's nothing  
24 like a broad topic to raise. I am going to deny it. This  
25 largely centers on Mr. Lynde, L-Y-N-D-E, who provides a

C E R T I F I C A T E

I, Debbie K. Zurn, RPR, CRR, Court Reporter for the United States District Court in the Western District of Washington at Seattle, do hereby certify that I was present in court during the foregoing matter and reported said proceedings stenographically.

I further certify that thereafter, I have caused said stenographic notes to be transcribed under my direction and that the foregoing pages are a true and accurate transcription to the best of my ability.

Dated this 30th day of October, 2012.

*/s/ Debbie Zurn*

DEBBIE ZURN  
OFFICIAL COURT REPORTER